



**State of New Hampshire**  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-3501 FAX (603) 271-6683



LETTER OF DEFICIENCY

No. WD SS 04-01

January 5, 2004

Joseph and Laurie Boutin  
2 Brown Road  
Windham, NH 03087

RE: 15 Cemetery Road, Tax Map 5-73-4, Derry, NH

Dear Mr. and Mrs. Boutin:

On October 16, 2003, personnel from the Department of Environmental Services, Water Division ("DES") received information from the Town of Derry concerning your property, described as Lot # 73-4, on Tax Map # 5, and located on 15 Cemetery Road, Derry, NH, 03038 ("the Property"). The purpose of the Town's inspection was to determine whether you were in compliance with RSA 485-A and its implementing regulations, the Subdivision and Individual Sewage Disposal System Design Rules, Env-Ws 1000 ("the Rules").

As a result of the inspection, the following deficiency was noted:

The subsurface sewage disposal system (septic) on the Property is in failure.

DES expects the above deficiency to be permanently corrected within 15 days by initiating and completing the following measures:

Engage a permitted septic system designer to prepare and submit septic system plans and specifications to DES for the total waste load generated on the Property.

2. Obtain approval to construct the system
3. Construct and obtain approval to cover and use the system.
4. Operate and maintain the system in accordance with NH Administrative Rule Env-Ws 1023.

**During interim between receipt of this letter and the date by which permanent corrections have been completed, as an alternate to vacating the premises, DES expects that collected sewage will be pumped and disposed in accordance with NH Administrative Rule Env-Ws 800 at sufficient frequent intervals to prevent further overflow. If this alternative is utilized, it is advised that pumping receipts be retained.**

DES believes the cited deficiencies will be corrected within 15 days and a report describing the corrective measures can be submitted to this office within 20 days of receipt of this letter.

In the event compliance is not achieved within this period, DES may take further action against you, including issuing an order requiring the above items to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the New Hampshire Department of Justice for imposition of civil and/or criminal penalties. In addition, DES personnel will inspect the Property at a later date to determine whether you have come into, and are maintaining, full compliance with all applicable statutes and directives.

The written report as requested above should be addressed as follows

Richard J. de Seve, SSB, DES  
Department of Environmental Services  
6 Hazen Drive, PO Box 95  
Concord, NH 03302-0095

Your prompt cooperation is appreciated. Should you have any questions regarding this letter, please contact Richard J. de Seve at 271-3442.

Sincerely,

**COPY**  


William E. Evans, P.E.  
Administrator  
Subsurface Systems Bureau

WEE/RJD

**CERTIFIED MAIL 7099 3400 0003 0696 1692**

Cc: James G. Falicon, SSB, DES  
Gretchen C. Rule, Enforcement Coordinator, DES  
Board of Selectmen, Town of Derry  
Richard J. de Seve, SSB, DES